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INTRODUCED BY REPRESENTATIVES ESCUDERO, SHAHANI, QUIMPO, LORETO-GO, UNDE, BADELLES, LORENZO-VILLAREAL, ESPINA, LIBAN, VICENCIO, ECHIVERRI, GONZALEZ (J.), COSALAN, DUAVIT, FUENTEBELLA, ANGARA-CASTILLO, GULLAS AND VILLAR, PER COMMITTEE REPORT NO. 794

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AN ACT RATIONALIZING THE ORGANIZATIONAL AND MANAGEMENT STRUCTURE OF THE DEPARTMENT OF EDUCATION, CULTURE AND SPORTS, AND RENAMING IT AS THE DEPARTMENT OF EDUCATION, AND FOR OTHER PURPOSES

*Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:*

1 SECTION 1. *Title.* – This Act shall be known as the “Education Act  
2 of 2000.”

3 SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of  
4 the State to protect and promote the right of all citizens to quality  
5 education and to make such education accessible to all by providing all  
6 Filipino children as well as the illiterate youth and adults, through a system  
7 of free education in the elementary and high school levels, an education  
8 that is complete, adequate and relevant to their needs.

1           The State shall likewise take into account regional and sectoral  
2 needs and conditions, including those of private educational institutions, in  
3 planning and developing educational policies and programs.

4           The State shall also adhere to the practice of democratic decision-  
5 making, principles of accountability, transparency and the policy of  
6 recognizing merit above all considerations.

7           SEC. 3. *Definition of Terms.* – The following terms in the Act shall  
8 be understood to mean:

9           (a) “Department” refers to the Department of Education created  
10 under this Act.

11           (b) “Education” refers to the fundamental learnings consisting of  
12 knowledge, skills, values and attitudes essential for active and successful  
13 participation in the economic, political, socio-cultural, moral life in a just  
14 and humane society. It aims to develop a self-reliant and creative learner  
15 who will be able to survive in his environment and adopt to its changes.

16           Education consists of at least six (6) years of elementary education,  
17 at least four (4) years of secondary education and may include one (1) year  
18 of pre-school education.

19           It shall also include education delivered through nonformal system  
20 of equivalency and certification for illiterate youth and adults.

21           (c) “Formal education” refers to the systematic and deliberate  
22 process of hierarchically structured and sequential learning corresponding  
23 to the general concept of elementary and secondary level of schooling. At  
24 the end of each level, the learner needs a certification in order to enter or  
25 advance to the next level.

26           (d) “Quality education” refers to the appropriateness, relevance  
27 and excellence of the education given to meet the needs and aspirations of  
28 an individual and the society.

1 (e) "Nonformal education" is any systematized and organized  
2 learning activity outside the established formal system, whether operating  
3 separately or as an integral feature of some broader activity that is  
4 intended to serve specific learning objectives.

5 (f) "Alternative delivery systems" refer to the nontraditional  
6 modes of instruction which can be used in both the formal and nonformal  
7 programs.

8 (g) "Alternative learning system" is the parallel learning system  
9 being evolved to provide a viable alternative to the existing formal  
10 education structure. It encompasses both the nonformal and informal  
11 sources of knowledge and skills such as the home, the church, media, the  
12 environment or even life itself, and spans the preliteracy to higher skills  
13 continuum.

14 (h) "Equity in education" is the availability of educational  
15 opportunities and services to all, regardless of certain factors such as  
16 ethnic origin, social class, sex and residence.

17 (i) "Functional literacy" is the level of literacy necessary for the  
18 pupil to become a useful citizen and an effective member of society.

19 (j) "Achievement test" is a test intended to measure the learning  
20 outcomes of specific teaching areas of the curriculum.

21 (k) "Special education" is basic education that takes into account  
22 the special needs of both disabled children and gifted children that requires  
23 a systematic and deliberate process for them to receive functional literacy  
24 and which will bring the individual to the highest level of his potential  
25 capacity. It is also defined as the type of education tailored to meet the  
26 needs of children who cannot profit because of disabilities or exceptional  
27 abilities.

28 (l) "Madrasah" (plural Madaris) is an Arabic term for "school". It  
29 functions as a nonformal school that teaches the basic tenets of the Islamic

1 religion, the Arabic language and subjects such as geography, history,  
2 science and mathematics. It is primarily a religious learning institution.

3 SEC. 4. *Purposes and Objectives.* – The purposes and objectives of  
4 this Act are:

5 (a) To maintain and support a complete, adequate and integrated  
6 system of education implemented in all public and private schools;

7 (b) Provide free six (6) years of compulsory elementary education  
8 and at least four (4) years of secondary education without limiting the  
9 natural rights of parents to rear their children;

10 (c) To inculcate patriotism and nationalism, foster love of  
11 humanity, respect for human rights, appreciation of the role of national  
12 heroes in the historical development of the country, teach the rights and  
13 duties of citizens, strengthen ethical and spiritual values, encourage critical  
14 and creative thinking, broaden scientific and technological knowledge and  
15 promote vocational efficiency;

16 (d) To give full support to teachers to enable them to become more  
17 effective and to enhance their rights to multi-skill professional  
18 development;

19 (e) To encourage parents to fulfill their roles as partners of  
20 government in education, to provide their children adequate assistance,  
21 including proper care and nutrition, and special protection from all forms  
22 of neglect, abuse, cruelty, exploitation and other conditions prejudicial to  
23 their development;

24 (f) To coordinate the efforts of local government units, other  
25 government agencies and the private sector, that support and assist in the  
26 delivery of basic educational services;

27 (g) To implement a decentralized delivery system of educational  
28 services;

1 (h) To operationalize the practice of democratic consultations,  
2 accountability, ascendancy by merit and transparency in the management  
3 of the Department;

4 (i) To enhance and equalize opportunities in education;

5 (j) To institutionalize an alternative learning system and support  
6 organized initiatives of the private sector to provide education services  
7 through alternative delivery system;

8 (k) To adopt a system of certification and equivalency on  
9 education acquired through nonformal and informal education;

10 (l) To develop effective linkages between the school and the  
11 community, the school and industry, and among concerned  
12 agencies/entities in education; and

13 (m) To provide education the highest budgetary priority among all  
14 the concerns of the government.

## 15 CHAPTER I

### 16 PRINCIPLES GOVERNING THE MANAGEMENT

#### 17 OF DECENTRALIZED FUNCTIONS

18 SEC. 5. *Principles Governing the Management of Decentralized*  
19 *Functions.* – (a) The process of democratic consultation shall be  
20 observed in the decision-making process at all levels. Feedback  
21 mechanisms shall be established to ensure coordination and open  
22 communication of the central office with the regional, division and school  
23 levels;

24 (b) The principles of accountability and transparency shall be  
25 operationalized in personnel and financial management. Monitoring teams  
26 shall be organized at the regional and division levels to oversee the  
27 implementation of decentralized functions. The division office shall  
28 provide the regional offices and the central office copies of annual

1 accomplishment reports regarding the status of programs and projects as  
2 well as the problems encountered during the years;

3 (c) The communication channels of regional and division offices  
4 shall be strengthened to facilitate flow of information and expand linkages  
5 with other government agencies, local government units and  
6 nongovernmental organizations for effective implementation of  
7 decentralized operations;

8 (d) In line with the thrusts of decentralization of educational  
9 management, the local school boards at the provincial, city and municipal  
10 levels shall functions as a primary advisory committee on major  
11 educational matters; and

12 (e) Active participation of teachers organizations, nonacademic  
13 personnel of public schools, and parents-teachers associations shall be  
14 encouraged through the local school boards.

## 15 CHAPTER II

### 16 GOVERNANCE OF EDUCATION

17 SEC. 6. *Decentralized Education.* – To make the administration  
18 and supervision of education more effective and efficient, decentralization  
19 of authority, responsibility and accountability for school operations shall  
20 be effected to the school level.

21 SEC. 7. *Restructuring of the Department of Education, Culture and*  
22 *Sports.* – To attain the purposes and objectives of this Act and to  
23 strengthen governance of education, the management and organizational  
24 set-up of the Department of Education, Culture and Sports is hereby  
25 restructured and renamed as the Department of Education, hereinafter  
26 referred to as the Department.

27 SEC. 8. *Education and Organizational Components.* – The  
28 Department shall be headed by the Secretary of Education, who shall be  
29 appointed by the President, subject to confirmation by the Commission on

1 Appointments. The programs and organizational components of the  
2 Office of Secretary shall consist of three (3) staff bureaus, four (4) services  
3 and four (4) centers.

4 The four (4) services of the Department are the following:

5 (a) Administrative and Legal Service which shall be responsible  
6 for records, property, general services, security, custodial work, personnel  
7 matters, personnel development and welfare, and all matters pertaining to  
8 legal affairs;

9 (b) Financial and Management Service which shall be responsible  
10 for accounting, budgeting, collection, disbursement, internal auditing,  
11 management systems and business development;

12 (c) Public Affairs and Linkages Service which shall be responsible  
13 for public affairs media relations, Department liaison work, information  
14 dissemination and communication program, international educational  
15 matters and youth affairs; and

16 (d) Research and Planning Service including management  
17 information service and project monitoring and evaluation.

18 The three (3) staff bureaus are as follows:

19 (a) Bureau of Curriculum and Instruction which shall include a  
20 Curriculum and Instruction Division, a Special Programs Division, an  
21 Early Childhood Care (ECC) Division, and a Physical and Sports Division.

22 (b) Bureau of Teacher Development and Welfare which shall  
23 include a Staff Development Division and a Teacher Development  
24 Division; and

25 (c) Bureau of Nonformal Education which shall include a Bureau  
26 of Nonformal Education, Basic Literacy Division, a Functional Literacy  
27 Division, and a Capability Building and Support Services Division.

28 The Literacy Coordinating Council (LCC) shall continue to be  
29 administratively attached to the DE as mandated by Republic Act

1 No. 7165. The National Educators Academy of the Philippines (NEAP)  
2 shall work in coordination with the Bureau of Teacher Development and  
3 Welfare.

4 The four (4) centers are the Center for School Health and Nutrition,  
5 the Center for Instructional Materials and Educational Facilities, the  
6 Center for Student Monitoring and Assessment, and the Center for Special  
7 Education.

8 The Secretary shall be assisted by four (4) undersecretaries, whose  
9 duties and areas of responsibilities shall be determined by the Secretary of  
10 Education, and by four (4) assistant secretaries who shall head the four (4)  
11 services. The undersecretaries shall be appointed by the President. All  
12 assistant secretaries shall be appointed by the President from among the  
13 career officers of the Department.

14 *SEC. 9. Duties, Powers and Functions of the Department.* – The  
15 Department shall have the following duties, powers and functions:

16 (a) Formulate education objectives and policies and adopt long  
17 range education plans;

18 (b) Plan, develop and implement programs and projects in  
19 education;

20 (c) Promulgate rules and regulations necessary for the  
21 administration, supervision and regulation of education in accordance with  
22 its declared policies;

23 (d) Set up general objectives and guidelines for education  
24 management;

25 (e) Coordinate the activities and functions of the bureaus, services  
26 and centers under it;

27 (f) Coordinate and work with other agencies particularly those  
28 concerned with the education and cultural development of children and  
29 youth; and

1 (g) Recommend and study legislation related to education.

2 SEC. 10. *Powers and Functions of the Secretary, Regional*  
3 *Director, Division Superintendent, District Supervisor and School*  
4 *Principal.* – While the policy is to decentralize education, the Secretary of  
5 Education shall exercise overall supervision and authority over the  
6 operations of the Department of Education. General accountability and  
7 responsibility for improving the quality education shall be vested upon the  
8 Secretary.

9 The decentralization system shall operate with the following  
10 organizational components and shall functions as follows:

11 (a) National level:

12 In addition to the powers and functions of the Secretary provided in  
13 the Administrative Code (Executive Order No. 292), the Secretary of  
14 Education shall have the following functions:

15 (1) Issue appropriate guidelines to ensure adherence to pertinent  
16 provisions of the Constitution and national standards of education, and  
17 relevance to national development needs;

18 (2) Transfer or reassign the regional directors, superintendents and  
19 assistant division superintendents in accordance with the provisions of law  
20 and guidelines issued by the Civil Service Commission;

21 (3) To determine the core education services to be handled by civil  
22 service employees and other services which will be better served through  
23 arrangements of consultancy or contractual agreements consistent with the  
24 Civil Service Commission laws and other pertinent rules and regulations;

25 (4) Appoint the schools division superintendent and the assistant  
26 division superintendents upon consultation with the National Selection  
27 Committee and Local Schools Boards in accordance with Civil Service  
28 laws, rules and regulations;

1 (5) Review, modify, alter or reverse acts or decisions of the  
2 regional director and division superintendents; and

3 (6) Impose sanctions on erring school officials and teachers, upon  
4 recommendation by the regional office, within ninety (90) days from the  
5 date of submission of the evaluation report.

6 In line with the policy of the Department to strengthen the  
7 monitoring and coordination of activities pertaining to the regional and  
8 division operations, the Secretary shall delegate the visitorial and  
9 inspection powers to the four (4) undersecretaries.

10 The undersecretaries shall monitor the management of decentralized  
11 operational functions at the division and school levels. During the field  
12 visits, they will act as the Secretary's representatives in the local  
13 communities to oversee the implementation of the policies, plans and  
14 programs of the Department.

15 The determination, assignment, withdrawal or modification of the  
16 areas of responsibility of the respective undersecretaries shall be at the  
17 discretion of the Secretary.

18 (b) Regional Level:

19 The fifteen (15) regional offices shall review, monitor, assess and  
20 evaluate educational progress and performance of all school divisions in  
21 accordance with the pertinent regional education development plan.

22 The Regional Director shall have the following general functions:

23 (1) Provide supervision, control, direction, evaluation and  
24 coordination of the operations and activities of the Department within the  
25 region;

26 (2) Formulate the regional plan of action based on the national  
27 educational plan of the Department taking into account the specific needs,  
28 requirements and expectations of the region;

1 (3) Develop regional educational standards within the framework  
2 of the national core standards;

3 (4) Promote coordination with the other regional offices and local  
4 government units in the region;

5 (5) Develop appropriate regional monitoring and assessment  
6 systems and publish the results of such assessment tests;

7 (6) Act on the appeals of district supervisors, principals and  
8 teachers who are being transferred or reassigned by the division  
9 superintendent;

10 (7) Recommend disciplinary action on any erring school officials  
11 and teachers, based on the evaluation and/or investigation done by the  
12 regional office; and

13 (8) Submit to the Secretary accomplishment reports of the region.

14 (c) Division Level:

15 The school division office shall be headed by the schools division  
16 superintendent who shall serve as educational manager of all the private  
17 and public schools in the division. The division shall be perfectly  
18 clustered into school districts, each of which shall be headed by school  
19 district supervisor.

20 The schools division superintendent shall be assisted by as many  
21 assistant schools division superintendents as may be deemed necessary by  
22 the Secretary of Education.

23 The following management support units shall be created in each  
24 division office: administrative, curriculum and instruction, teacher  
25 development and welfare and nonformal education.

26 The division superintendent shall have the following general  
27 functions:

28 (1) Ensure compliance with minimum curricula and standards by  
29 public and private schools of elementary and high school programs;

1 (2) Coordinate schools and formulate performance standards for  
2 principals;

3 (3) Hire, appoint, place, transfer, re-assign and evaluate division  
4 supervisors, principals, teachers and non-teaching and administrative  
5 support staff in the division and district levels, in accordance with existing  
6 laws, rules and regulations;

7 (4) Implement the programs, plans and projects of the Department  
8 at the division level;

9 (5) Plan, manage and ensure proper utilization of all personnel,  
10 physical and fiscal resources of the division and districts;

11 (6) Determine the priorities for the allocation of funds for the  
12 division and district, including in-service training of teachers and non-  
13 teaching and administrative support staff;

14 (7) Manage the provision and procurement of classrooms, desks,  
15 textbooks and other instructional materials, tools and equipment;

16 (8) Institute feedback mechanisms at the division level;

17 (9) Consolidate various inputs from the different schools under the  
18 division to be incorporated in their respective division performance report;

19 (10) Prepare annual performance reports and submit to regional  
20 office and central office; and

21 (11) Perform such other functions as may be necessary to achieve  
22 the goals and objectives of education.

23 (d) District Level:

24 Upon the recommendation of the schools division superintendents  
25 and the regional director and in accordance with the guidelines of the Civil  
26 Service Commission and other pertinent laws, rules and regulations, the  
27 Secretary may establish, within a school division, school districts which  
28 shall consist of any territorial clustering of schools. A school district shall  
29 be headed by a school district supervisor who shall be assisted by an office

1 staff for administrative and fiscal services. The duties and responsibilities  
2 of the schools district supervisor shall be determined by the schools  
3 division superintendent.

4 (e) School Level:

5 The school shall be the focal point and center of formal education.  
6 The class is where the teaching-learning process shall take place and  
7 should therefore be managed efficiently and effectively. For the purpose,  
8 the schools division superintendent shall appoint a school principal for  
9 every complete public elementary and public high school or a cluster  
10 thereof, in accordance with existing Civil Service rules and regulations.  
11 The school principal shall function both as an instructional leader and  
12 administrative manager to ensure that the goals for quality education are  
13 met and shall be assisted by an office staff for administrative and fiscal  
14 services.

15 The principal shall perform the following general functions:

16 (1) Lead in setting the mission, vision, goals and objectives of the  
17 school, in accordance with the purposes and objectives of education;

18 (2) Initiate and implement programs and projects consistent with  
19 the overall goals and objectives of education;

20 (3) Conduct consultations with the teachers within his/her  
21 jurisdiction prior to making major policy decisions;

22 (4) Provide leadership in helping teachers develop personally and  
23 professionally;

24 (5) Initiate staff development in the school;

25 (6) Supervise instruction;

26 (7) Create a physical and psychological climate that is conducive  
27 to teaching and learning;

28 (8) Develop partnership with parents and the community;

- 1 (9) Evaluate and analyze all school activities in terms of outcomes
- 2 desired;
- 3 (10) Set work performance standards for teachers and staff;
- 4 (11) Organize functional school information system;
- 5 (12) Initiate action research designed to gather inputs from the
- 6 teachers and students in their school; and
- 7 (13) Coordinate with school division superintendent in matters
- 8 pertaining to the administration and management of the school.

9 SEC. 11. *School Advisory Council.* – A school advisory council,  
 10 hereinafter referred to as SAC, shall be formed only at the barangay level.  
 11 The SAC shall be composed of the principal or school head; a  
 12 representative of teachers in the school sponsored by the peer teachers, a  
 13 representative from the Parent-Teacher Community Association  
 14 recommended by the Parent-Teacher Association, a representative from  
 15 the Barangay Council recommended by the Council, a representative from  
 16 the youth sector recommended by the Sangguniang Kabataan, and a  
 17 preschool teacher or early child development worker.

18 The School Advisory Council shall have the following functions:

- 19 (1) Formulate school improvement and effectiveness plan which
- 20 will address the needs of the individual schools;
- 21 (2) Mobilize funds from various sources to finance the needs of the
- 22 school;
- 23 (3) Determine allocation of resources for the different components
- 24 of the School Improvement and Effectiveness Plan;
- 25 (4) Monitor the implementation of the school improvement and
- 26 effectiveness plan;
- 27 (5) Coordinate with the concerned government agencies or
- 28 nongovernment organizations on issues affecting the school; and

1 (6) Meet at least bi-monthly, or more often if the need arises, to  
2 discuss the day-to-day functioning of the school, including problems that  
3 need attention of the SAC.

4 The members of the SAC shall have a maximum of three (3) years  
5 term, except for the representatives of teachers, child development workers  
6 and parent-teacher community associations who shall serve for one (1)  
7 year to give opportunities for others to participate.

8 The School Improvement and Effectiveness Plan shall include the  
9 following:

10 (1) An overall plan on how to maximize the use of available  
11 resources to further improve classroom learning and students'  
12 achievements through acquisition of resource materials for the library and  
13 other necessary physical and educational equipment;

14 (2) Targets for student achievement, completion rate, participation  
15 rates and cohort survival rates;

16 (3) Strategy and activity work plans to achieve the school's  
17 objectives;

18 (4) Possible sources of funds which can be mobilized from the  
19 local community, private sectors, nongovernment organizations and other  
20 stakeholders in the community; and

21 (5) Description of the responsibilities of the members of the SAC.

22 CHAPTER III

23 RECRUITMENT, SELECTION, APPOINTMENT, PROMOTION

24 AND TRANSFER OF TEACHERS

25 SEC. 12. *Recruitment, Selection, Appointment, Promotion and*  
26 *Transfer of Teachers.* – The recruitment, selection, appointment,  
27 promotion and transfer of teachers shall strictly adhere to the qualification  
28 standards determined by the Department and the Civil Service laws, rules  
29 and regulations.



1 Transfers and reassignments of principals and district supervisors  
 2 shall be done every five (5) years, at the discretion of the schools division  
 3 superintendent, principals and district supervisors deemed unjustly  
 4 transferred or re-assigned shall be allowed to appeal to the regional  
 5 director.

6 CHAPTER V

7 TRANSFER OF CULTURAL DEVELOPMENT AND SPORTS PROGRAM

8 CONCERNS AND EXPANSION OF DEPARTMENT LINKAGES

9 SEC. 15. *Cultural Development Concerns.* – The following cultural  
 10 agencies which are administratively attached to the Department of  
 11 Education, Culture and Sports (DECS), to wit: Komisyon ng Wikang  
 12 Pilipino, National Museum, National Historical Institute, Records and  
 13 Management and Archives Office, and National Library shall cease to be  
 14 administratively attached to the Department of Education.

15 SEC. 16. *Transfer of Sports Programs and Activities to the*  
 16 *Philippine Sports Commission (PSC).* – All functions, programs and  
 17 activities of the DECS related to sports development shall be transferred to  
 18 the Philippine Sports Commission (PSC). The program for school sports  
 19 and physical fitness shall remain part of the school curriculum and shall be  
 20 integrated in their respective staff bureaus for elementary and high school  
 21 education.

22 For this purpose, the funds, records, equipment, facilities and other  
 23 assets, as well as liabilities of the Bureau of Physical Education and School  
 24 Sports (BPES) shall remain with the Department of Education. The  
 25 present personnel of the Bureau shall have the option to retire or be  
 26 absorbed by the Department of Education or assigned to the Philippine  
 27 Sports Commission, subject to needs of the said agencies.

1 All personnel of the BPESS who shall be affected by this transfer of  
2 functions shall be covered by and entitled to benefits provided in existing  
3 laws, rules and regulations.

4 SEC. 17. *Functional Linkages.* – The Department shall develop and  
5 maintain effective linkages with the following: former attached DECS  
6 agencies; other government agencies tasked with development,  
7 administration and supervision, equivalency and certification and  
8 scholarship tests; those agencies responsible for developing and  
9 monitoring alternative learning programs; centers for excellence for  
10 teacher education, such as the NEAP and other education and training  
11 agencies; parents and media for the information education of school  
12 children; community leaders, local government executives and other  
13 political leaders; and local, regional and international educational  
14 organizations, associations and institutions.

15 SEC. 18. *Financial Access.* – The Department shall provide  
16 scholarships to poor but deserving students through education vouchers  
17 which may cover tuition for pupils in private schools, book allowance,  
18 board and lodging and other related expenses.

19 SEC. 19. *Education for the Indigenous Cultural*  
20 *Communities/Peoples.* – The Madaris or any similar indigenous systems of  
21 learning shall be strengthened and, whenever possible, integrated into the  
22 formal elementary and high school systems. Tribal and mission schools  
23 shall be provided learning resources.

## 24 CHAPTER VI

### 25 FINAL PROVISION

26 SEC. 20. *Appropriations.* – The amount necessary to carry out the  
27 rationalization of the organizational and management structure of the  
28 Department of Education shall be charged against the current budget of the  
29 Department of Education, Culture, and Sports. Thereafter, such amount as

1 may be necessary for the continued implementation of this Act shall be  
2 included in the annual General Appropriations Act.

3 SEC. 21. *Transitory Provisions.* – All personnel of bureaus,  
4 centers, services and field offices, including the present personnel of the  
5 Educational Development Projects Implementing Task Force (EDPITAF),  
6 shall continue to exist in a holdover capacity until they choose to resign,  
7 retire or are assigned to appropriate agencies.

8 The position, structure and staffing pattern of the Department shall  
9 be prepared by the Secretary of Education, submitted to the Department of  
10 Budget and Management for approval, and the authorized positions  
11 created thereunder filled by appointing authorities within one hundred  
12 eighty days (180) from the approval of this Act.

13 Employees who are not absorbed by the Department or are laid off  
14 as a result of the implementation of this Act within one hundred eighty  
15 (180) days transition period provided herein, shall be entitled to the  
16 retirement and/or gratuity, benefits or pensions under Republic Act No.  
17 6656 or any other existing retirement laws.

18 The funds, records, equipment, facilities and other assets, as well as  
19 liabilities of the staff bureaus, centers, services and field offices and of  
20 attached agencies absorbed by the Department of Education shall be  
21 transferred to the Department.

22 SEC. 22. *Implementing Rules and Regulations.* – The Secretary of  
23 Department of Education shall promulgate and/or cause to be promulgated  
24 the implementing rules and guidelines within ninety (90) days after the  
25 approval of this Act.

26 SEC. 23. *Separability Clause.* – If any portion or provision of this  
27 Act shall be declared unconstitutional, such declaration shall not invalidate  
28 other parts thereof and shall remain in full force and effect.

1           SEC. 24. *Repealing Clause.* – All laws, rules and regulations or  
2 parts thereof inconsistent with the provisions of this Act are hereby  
3 repealed or modified accordingly.

4           SEC. 25. *Effectivity.* – This Act shall take effect fifteen (15) days  
5 following its publication in at least two (2) newspapers of general  
6 circulation.

Approved,

O